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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/595,140	03/03/2006	Santeri Anttalainen	P17183-US1	3295
27045	7590	11/12/2008	EXAMINER	
ERICSSON INC. 6300 LEGACY DRIVE M/S EVR 1-C-11 PLANO, TX 75024			MANOCHARAN, MUTHUSWAMY GANAPATHY	
			ART UNIT	PAPER NUMBER
			2617	
			MAIL DATE	DELIVERY MODE
			11/12/2008	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	10/595,140	ANTTALAINEN ET AL.
	<b>Examiner</b> MUTHUSWAMY G. MANOHARAN	<b>Art Unit</b> 2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1)  Responsive to communication(s) filed on 18 July 2008.
- 2a)  This action is FINAL. 2b)  This action is non-final.
- 3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4)  Claim(s) 1-3 and 5 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5)  Claim(s) \_\_\_\_\_ is/are allowed.
- 6)  Claim(s) 1-3 and 5 is/are rejected.
- 7)  Claim(s) \_\_\_\_\_ is/are objected to.
- 8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9)  The specification is objected to by the Examiner.
- 10)  The drawing(s) filed on \_\_\_\_\_ is/are: a)  accepted or b)  objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a)  All b)  Some \* c)  None of:
    1.  Certified copies of the priority documents have been received.
    2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1)  Notice of References Cited (PTO-892)
- 2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3)  Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4)  Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5)  Notice of Informal Patent Application
- 6)  Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Arguments***

Applicant's arguments with respect to claims have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

**Claims 1-3 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over by Ernam et al. (hereinafter Ernam) (US 6097951) in view over Brudos et al. (hereinafter Brudos) (US 6505050).**

Regarding **claim 1**, Ernam teaches a method of controlling a communication control entity in a communication control part of a mobile communication network that comprises said communication control part and an access part, said communication control entity acting as a primary communication entity for a call communication and belonging to a pool of communication control entities among which no handover procedure is conducted as long as a mobile communication device moves among service realms associated with a predetermined number of access control entities that are connected to said pool, said method comprising the steps (Figures 3-4; "pool of mobile switching centers interconnected with one another", Abstract, Col. 8, lines 38-51):

receiving a handover request for removing a first secondary communication control entity from a control process for controlling said call communication and adding a second secondary communication control entity ("handover processing", Col. 10, line 1; "With respect to inter-MSC handovers, there will not be a need for Inter-MSC handovers within the system. When there is an incoming mobile unit from another network, only then will there be a need to do an inter-MSC handover", Col. 10, 41-43); determining whether said second secondary communication control entity belongs to said pool, and if said second secondary communication control entity belongs to said pool, rejecting said second secondary communication control entity to said control procedure and instead communicating with the mobile communication device of which said given call communication is being controlled via an access control entity connected to said primary communication control entity ("with respect to inter-MSC handovers, there will not be a need for Inter-MSC handovers within the system", within the system here implies within the pool. . When there is an incoming mobile unit from another network, only then will there be a need to do an inter-MSC handover"; Col. 10, lines 39-47; "the dispatched router MSC will be able to break the transmission path from the serving MSC to the source BSC and establish a new connection towards target MSC", Col. 10, lines 31-36) .

Ernam did not teach specifically a method of communicating directly by said communication control entity without utilizing any secondary communication control entity as a relay. However, Brudos teaches in an analogous art a method of communicating directly by said communication control entity without utilizing any

secondary communication control entity as a relay (Figure 2; Col. 3, lines 35-67, Col. 4, lines 1-32). Therefore, it would be obvious to one of ordinary skill in the art at the time of invention to use a method of communicating directly by said communication control entity without utilizing any secondary communication control entity as a relay in order to have the distributed routing. This further provides an alternate way of handling the routing, since both distributed and centralized control entity are two different ways of handling the routing.

Regarding **claim 2**, Ernam teaches the method of claim 1, wherein said primary communication control entity determines whether said second secondary communication control entity belongs to said pool by determining an identifier of said second secondary communication control entity from said handover request and comparing said identifier with a list of identifiers of communication control entities belonging to said pool (items 46,48 and 56 in Figures 3-4) .

Regarding **claim 3**, Ernam teaches the method of claim 1, wherein said primary communication control entity determines whether said second secondary communication control entity belongs to said pool by determining an identifier of an access control entity connected to said second secondary communication control entity from said handover request and comparing said identifier with a list of identifiers of access control entities belonging to said predetermined number of access control entities ("MSC/VLR", "VLR\_id", Col. 4, lines 41-55, Figures 3-4).

**Claim 5** is rejected for the same reason as set forth in claim 1.

***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MUTHUSWAMY G. MANOHARAN whose telephone number is (571)272-5515. The examiner can normally be reached on 7:00AM-2:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eng George can be reached on 571-272-7495. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/George Eng/  
Supervisory Patent Examiner, Art Unit 2617